



Flathead Conservation District  
133 Interstate Lane, Kalispell, MT 59901  
www.flatheadcd.org 406-752-4220

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### **CALL TO ORDER & ATTENDANCE**

Chair Ronald Buentemeier called the March 26, 2018, Business meeting to order at 7:00 P.M. in the conference room.

### **Board members present:**

Ronald Buentemeier, Chairman; Pete Woll, Vice Chairman; Dean Sirucek, Secretary/Treasurer; John Ellis, Supervisor; Mark Siderius, Supervisor; Verdell Jackson, Supervisor; Lori Curtis, Supervisor, being a quorum of the Board.

Also in attendance were: Valerie Kurth and Ginger Kauffman, FCD staff; Don & Mary Ann Garner; Marty Beale, Mindful Designs; David Noftsinger, Forestoration; Samantha Tappenbeck, SWCDM.

### **MINUTES**

Dean Sirucek motioned "to approve the minutes of the March 12, 2018, 310-meeting as presented." Verdell Jackson seconded. Motion carried unanimously.

### **CORRESPONDENCE**

1. Email: SWCDM announces a free one day Digital Atlas training opportunity for CD staff. The training will be done by the state GIS Coordinator in Helena, Thursday, June 14. The Helena State Library will host the training. Digital Atlas is a free mapping tool produced by the Montana State Library, which is a middle ground between GIS and Google Earth. It can be used to load various map layers such as waterbodies, groundwater wells, landownership etc. into a customized map that allows you to look at that data without GIS. There will be 26 computers available and if there is more interest than spaces, we can easily partner up. Contact Jessica Makus, SWCDM, [jessica@macdnet.org](mailto:jessica@macdnet.org), 406-443-5711
2. Email: Flathead Land Trust is co-sponsoring a workshop *Ties to the Land – Your Family Forest and Land Heritage: Planning for an Orderly Transition*. Monday, April 30, 9:00 A.M – 5:00 P.M., MT FWP, 490 N. Meridian, Kalispell. The workshop focuses on ways to maintain family ties to the land from generation to generation, build awareness of key challenges facing family businesses and motivating families to address those challenges. Workshop fee \$50 for first family member, \$10 for each additional family member. Fee includes refreshments and a workbook. Contact Ed Levert 406-293-2847.
3. Notice: Yellowstone Conservation District is hosting a Rangeland Restoration workshop and tour, May 8, Big Horn Resort, Billings. Contact: LaVerne Ivie, 406-247-4416, [livie@mt.gov](mailto:livie@mt.gov).



4. Email: NACD 2017 Annual Report, NACD News Briefs, NACD Forestry Notes, NACD Conservation Clips, NACD eResource <http://www.nacdnet.org>
5. Email: Montana Watershed Coordination Council newsletter *Watershed News* <https://mtwatersheds.org/app>
6. Email: SAVE THE DATE: Roosevelt and Richland Conservation Districts are sponsoring a Montana Range Tour, September 5-6, 2018, Sidney, MT.
7. Email: Rolling Rivers Training, March 27, 10:00 A.M. – 2:00 P.M., Forsyth High School Vo Ag Shop, 917 Park Street, Forsyth, MT. Lunch cost is \$6.00. Contact
8. Thank-you from Holly McKenzie for sponsoring youth at Natural Resource Camp. This year's camp will be held July 15-20, Lubrecht Experimental Forest east of Missoula. Contact 406-243-2773 [director@mnryc.org](mailto:director@mnryc.org)
9. Email: SWCDM March 20, 2018 issue of *The Montana Conservationist* [www.swcdm.org](http://www.swcdm.org)
10. Email: Letter from MACD President, Mark Suta
11. Email: Madison Conservation District is hiring a part-time Administrator for the Ennis office. Contact Sunni Heikes-Knapton, Madison Watershed Coordinator, 406-682-3181 or 406-570-4193
12. Email: The Soil and Water Conservation Districts of Montana, in partnership with the Missouri River Conservation Districts Council, is pleased to announce funding is available for Ranching for Rivers, a cost-share program to help ranchers with riparian pasture fencing projects. <http://swcdmi.org/programs/r4r/> Contact Jessica Makus, [jessica@macdnet.org](mailto:jessica@macdnet.org), 406-443-5711
13. Email: Clark Fork and Kootenai River Basins Council 2018 annual meeting, April 16-17<sup>th</sup>, 2018, University of Montana, University Center (3<sup>rd</sup> Floor). <https://mtwatersheds.org>
14. Email: Petroleum County Conservation District newsletter *Conservation Dirt* 406-429-6646 Ext. 104, [petroleumcd@midrivers.com](mailto:petroleumcd@midrivers.com)

## **FINANCIAL**

The following bill was due and paid prior to this meeting:

1. CenturyLink \$266.84

Ginger Kauffman stated the bill was received on 3/15/18, and she explained that our original bill included a late fee because of the timing between when the last payment was approved and when the check was processed by CenturyLink. Valerie Kurth contacted the phone company and they removed the late fee, so the correct amount owed was \$266.84. The new bill was due 3/29, however, payment could not be approved until the 3/26 meeting, which would have made the payment late again. The board asked staff to contact the phone company regarding electronic payments, and bring information to the April business meeting.

The following bills were reviewed:

1. MontanaSky \$20.00
2. Byte Savvy \$180.00

Lori Curtis motioned "to approve the bills as presented." Verdell Jackson seconded. Motion carried unanimously.



## **PUBLIC COMMENT**

No one was present to comment on items not listed on the meeting agenda.

### **310**

**Pohlman**, FL2018002, Whitefish River, trail/dock/gang plank/structure: John Ellis reported this application was tabled at the last meeting so Leo Rosenthal, FWP, could talk to Kenny Breidinger, FWP, regarding the building extending 7 feet beyond the top of the hill. Kenny had submitted a new Team Member Report which recommends to "approve as proposed."

John Ellis motioned "to approve the application as submitted." Verdell Jackson seconded.

Ronald Buentemeier stated there needs to be discussion as to what his reasoning is for his decision. John read Kenny's Team Member Report dated 3/19/2018 and noted the following under **Review Considerations**

- (f) Are there reasonable alternatives to reduce disturbance to stream or better accomplish the purpose of the project? – Yes  
This project places the residential structure on the immediate stream bank. This is consistent with other Mindful Design projects in the immediate area. This is however, inconsistent with some other permitted projects and does violate the Flathead Conservation Districts adopted rules. Placing the structure somewhere other than on the immediate bank is a reasonable alternative.

John again noted Kenny's recommendation was approval as proposed.

John also read his Team Member Report dated 2/16/2018 and noted the following under **Review Considerations**

- (d) Effects on stream flow, turbidity, or water quality caused by materials used or by removal of ground cover – 2 silt fences and a straw waddle should be used

John's noted his recommendation was approval with modifications - two silt fences and a straw waddle should be used.

John stated he disagrees with Kenny regarding the immediate streambank. The building does not fall on the immediate streambank. John agreed with FCD taking jurisdiction since there is a continuous bench from the Whitefish River to the top of the hill. However, under FCD's Adopted Rules, the last pitch of the hill from the last bench to the top of the hill is not the immediate streambank.

Lori Curtis stated the bottom line is that you both approved the project. Ronald stated that the reason for making the decision must still be documented. He asked John to explain if the 7 feet we are discussing is or is not in our jurisdiction. John explained that it **is** our jurisdiction; regardless, it is **not** the immediate bank of the stream. Ronald stated this is consistent with how we have taken jurisdiction all along the Whitefish River.

John read from the Adopted Rules: **RULE 4. DEFINITIONS #23.** "Immediate banks" means the area above the mean high water mark and directly adjacent to the stream, which when physically altered or modified has the potential to affect the state of a stream.



John stated that he did not believe the building and where it would extend 7 feet over the top of the bank has the potential to affect the state of the stream because it is much too far from the Whitefish River.

Ronald requested the board word the motion so it states the reason for the decision because it has to be documented. At Verdell Jackson's request, John re-read Kenny's Team Member Report. Verdell stated that moving the structure would make the project smaller and would cut out some parking space. Ronald added that it would also cut out building space. He went on to explain that this was important to include the upper plateau where the building is because there have been several bad bank failures along the Whitefish River. This is why we consistently take jurisdiction on the Whitefish River at the top of the bank and back a minimum of 20 feet. He emphasized the need to document the decision. Verdell suggested that what they are doing with the plantings on the bank would mitigate that problem. Ronald stated it would not in this case because it loads the top of the bank, and the sand-silt layer, which is about 2 feet down, becomes saturated and it all runs off.

Dean Sirucek suggested adding language to the motion about the proposed design and the natural vegetation having mitigated the potential for runoff, associated sedimentation, or mass failure problems. Lori Curtis agreed and added that it was approved based on considerations of both Team Member Reports and the proposed design. Marty Beale offered additional cross sections, and information regarding footage to top of slope/top of bank and effects to streamflow. Ronald stated that the top of the slope is the problem. Dean stated under the Adopted Rules we are allowed to take jurisdiction on a terraced escarpment to the point that we think is necessary, so we have taken in Whitefish to the top of that bank. Marty Beale offered additional information, including a storm water mitigation report and an engineering report about the bank loading, and he said that their proposal will actually reduce the loading on the bank and catch all the runoff. Pete Woll asked for a copy of the letter dated 1/7/2018 from Slopeside Engineering regarding the Geotechnical Consultation for the district file.

John stated the conservation districts decision has two separate lines: one with the decision and then there are two additional lines for explanation. I think what both the chair & other members are saying is what we want to put in our explanation. Ronald stated we need to state the reason for approval in the motion.

The main motion was re-read: John Ellis motioned "to approve the application as submitted." Verdell Jackson seconded. Ronald Buentemeier called for question. Motion carried unanimously.

Dean Sirucek motioned "to amend the motion that John Ellis's and Kenny Breidinger's Team Member Reports reflect the fact that the project proposal, as well as the buffer distance on the streambank, alleviate the potential sedimentation and streambank stability issues for this project." Pete Woll seconded. Motion carried unanimously.



## **NEW BUSINESS**

**Krause Creek RRGL re-submission:** Don Garner presented a grant sponsorship request to the board. His property is north of Echo Lake and has both Echo and Krause Creeks going through it. He noted the erosion on Krause Creek has continued over the past several years. FCD had sponsored a DNRC grant for a study on the creek from the headwaters to Echo Lake in 2015. A second DNRC grant application for project construction was submitted in 2016, but was not funded during the legislative session. The Garners asked if FCD would consider sponsoring another RRGL grant application this year. John Ellis asked Valerie Kurth about the process and any needed updates to the application. Valerie stated that she had spoken with the DNRC grant manager and the consultant who performed the study, and they recommended increasing the budget. Applications are due May 15<sup>th</sup>; they are ranked then sent to the legislature. The whole process takes approximately one year.

Mr. Garner also mentioned an idea of using a brush bundling technique, which a different consultant had recommended because of its relatively low cost and impact. He will apply for a 310-permit to do this as a demonstration project on another section using his own funds. The possibility of using district cost-share funds was briefly discussed.

Pete Woll motioned “to resubmit the RRGL grant application for Krause Creek.” Lori Curtis seconded. Motion carried unanimously.

Don stated they would like to apply for a 310-permit for the demonstration project to be constructed before high water. Mark Siderius suggested doing a fall installation instead because work conditions would be better and allow for a better chance of success. Dean noted snowpack is still 130-140 percent, and recommended the Garners set up fixed photo points and take measurements at both project sites now and again after run off, as the information could help in doing the design in the fall.

**Family Forestry Expo:** Valerie Kurth reported the district office received a letter from the Family Forestry Expo (FFE) committee requesting funds. FFE donations have gone down the last several years and certain grants are no longer available. Mark Siderius motioned “to approve \$9,000 for Family Forestry Expo this year.” Pete Woll seconded. Motion carried unanimously.

**College Scholarships:** Supervisors received packets for the 6 scholarship applicants and commented that all applicants looked strong and exceeded the minimum GPA requirement. Verdell Jackson motioned “to award each scholarship candidate \$2000.” John Ellis seconded. Motion carried unanimously.

**MT Watershed Coordination Council Symposium & Grant Sponsorship:** Valerie Kurth reported the Montana Watershed Coordination Council (MWCC) has submitted a request to FCD to sponsor a DNRC HB-223 grant in the amount of \$10,000. The grant would provide Montana conservation district employees and supervisors funds to cover some of the costs of attending the symposium, which will be held in Whitefish, October 2018. Grant funding may cover registration, lodging, and/or mileage costs for CD attendees. Up to \$1000 can be



retained by FCD for administration of the grant. Erin Farris-Olsen, MWCC, will write the grant application, which is due in April. Valerie stated the symposium is a great opportunity to network and hear what others are doing. She noted she had talked to Linda Brander, HB-223 grant manager, and she had expressed concern about limited availability of funds, but still encouraged submission.

Lori Curtis motioned “to support the Flathead CD sponsoring the 223-grant proposal for the MWCC symposium.” Mark Siderius seconded. Motion carried unanimously.

Valerie stated MWCC is also seeking sponsors for the symposium, and asked if the board would be interested in this as well. Mark Siderius motioned “to support the MWCC symposium with a \$300 contribution for sponsorship.” Lori Curtis seconded. The contribution amount, grant and lack of other funding sources for MWCC were discussed. Mark withdrew the motion and Lori withdrew the second.

Pete Woll motioned “to approve a Stream Sponsorship in the amount of \$1000 to MWCC.” Verdell Jackson seconded. Motion carried unanimously.

**Montana Association of Conservation Districts (MACD) Strategic Plan:** Pete Woll reported copies of the MACD mission, vision, values and goals, which came out of the Strategic Planning process, have been sent to each district. Districts are asked to review and contact MACD with any comments or recommendations. The board asked for time to review the information and place this on the April business meeting agenda.

**Supervisor Forum:** Valerie stated this is on the agenda to approve payment for lunch for FCD attendees. John Ellis motioned “to approve payment for lunch for any FCD supervisor or administrative person attending the MACD Area V Supervisor’s Forum.” Dean Sirucek seconded. Motion carried unanimously.

**End of Month Budget Report** (February 2018): Ginger Kauffman reviewed the February 2018 End of Month Budget Report with the board. Dean Sirucek motioned “to accept the End of Month Budget report for February 2018.” Lori Curtis seconded. Motion carried unanimously.

## **REPORTS**

**Flathead CD Staff:** Valerie Kurth reported:

### ***District Office and Outreach***

1. Advertisements: Education Grants, 310-Sandbagging
2. Valerie attended the Flathead County Special District Board financial training on February 28<sup>th</sup>.
3. Valerie judged at the Flathead County Science Fair on March 1<sup>st</sup>.
4. Valerie and Ginger Kauffman processed the college scholarship applications and distributed them to supervisors.
5. Vacancy – Valerie organized the selection, scheduling, and questions for the candidates selected for interviews. Interviews were held on 3/15 and 3/20.  
*Valerie noted she will make a recommendation at the April 310-meeting.*





### ***310-related***

Valerie continues to coordinate 310-related communication among Department of Natural Resources and Conservation (DNRC), Fish Wildlife & Parks (FWP), Department of Environmental Quality (DEQ), Don MacIntyre (DNRC), Caitlin Overland (Deputy County Attorney), and the legal representatives involved in the judicial review for Stalowy.

### ***On-the-Ground Projects***

Trumbull Creek – Valerie coordinated the Trumbull Creek Informational Meeting, which was held on March 8<sup>th</sup> at the Birch Grove Community Center. The goal of the meeting was to share information with the adjacent landowners about the DNRC planning grant and study and find out if anyone is interested in participating. Samantha Tappenbeck helped with landowner outreach and producing a map to use at the meeting. Approximately 20 landowners attended the meeting, as well as representatives from Glacier Park International Airport and Flathead County Roads and Bridges. Since then, Valerie has been conducting follow-up outreach to the landowners and coordinating activities with the consultants. The consultant will do a comprehensive field visit on March 29<sup>th</sup> and 30<sup>th</sup>.

### ***Landowner Programs***

Valerie continues to receive regular inquiries about the seedling program, and four additional orders were submitted in March (total to date: 8). She also has received several phone inquiries about the cost-share program.

### ***Education and Outreach***

Small Acreage Landowners Workshop – The workshop series concluded on March 14<sup>th</sup> (week 6 - weed management). Weeks 4 and 5 were on forest pests/fire and wildlife habitat/pollinators/electric fencing, respectively. Attendance continues to be consistent, and feedback was generally very positive. The presenters held a follow up discussion, and everyone is enthusiastic and willing to do the workshop again next year.

Website and Educational Programs – Valerie is maintaining the website, updating forms, and administering the educational programs (with a lot of support from Ginger).

Samantha Tappenbeck, **Soil & Water Conservation Districts of Montana (SWCDM)** submitted the following report:

#### Progress on Thompson River Basin WRP:

- Completed and accepted by DEQ on 3/8/18

#### Workshop on Stream Gaging in the Flathead Basin

- Hosted by Flathead River Commission and SWCDM
- 1/31- 2/1/2018 in Kalispell
- 32 participants representing 20 organizations
- Presentations from: USGS, DNRC, Montana Bureau of Mines and Geology, US Army Corps of Engineers, Whitefish Lake Institute
- TMC article and blog post available on SWCDM website



*Lori Curtis noted that many good complements were received on the Stream Gaging Workshop held by Samantha.*

Montana Water Summit (3/6-7/2018)

- Presenters, panel discussions, discussion/Q&A on various topics:
  - Water in the west
  - Water and climate
  - Montana water policy
  - Bridging divide between water quality and quantity
  - Does water efficiency = conservation?
- Workshop on adaptation strategies
- Hosted a table at the “Great Water Conversations” lunch about my program and recent projects

SWCDM Water Quality Mini-Grants:

- \$3,000 grants available from SWCDM
- Fund projects that address nonpoint source water quality issues
- Projects no longer need to have a DEQ-accepted Watershed Restoration Plan, though priority may be given to projects in areas with approved WRPs
- Due 3/16/18

Clark Fork and Kootenai River Basins Council annual meeting:

- April 16-17 in Missoula
- CFKRBC was formed in 2016 to develop vision, coordinate common strategy, and support the network of water user interests at the basin scale
- Interested in engaging stakeholders across the Clark Fork and Kootenai basins and are available to attend your meetings to share about their work

**Natural Resources & Conservation Service (NRCS):** Jessica Ressel, NRCS, submitted the following report:

Office Business:

- Working on contracting EQIP Applications. Missoula area (which encompasses 12 counties) was allocated \$1,064,872 for funding EQIP applications, of that amount Kalispell field office was allocated \$240,252.00.  
High priority was given to those applicants that are addressing forestry health and are beginning farmers, resulting in 3 approved forestry contracts. 11 total applications were considered for funding, 8 forestry 3 ag/livestock. As of now, all agricultural applications have not been funded and probably will not be due to county resource concern being forest health. Obligation deadline for applications is set for April 18<sup>th</sup>, 2018.
- NRCS had a special initiative sign up through EQIP that was announced at the end of December, with a deadline of January 19<sup>th</sup>. Initiatives included, fire restoration, energy, honey bee pollinator and high tunnel. Kalispell office had 3 applicants for high tunnel installation. Ranking will be completed by March 23<sup>rd</sup>, and obligation date set for May 18<sup>th</sup>.





- Continual work on thinning projects and field work pertaining to EQIP/CSP/WRP contracts.
- Taking applications for EQIP funding for year 2019. Application deadline is set for June 1, 2018.

### Contracts

Environmental Quality Incentive Program (EQIP) - 23 active EQIP contracts. Land uses include Forestland, Pre commercial thinning, Ag land, high tunnels.

Conservation Stewardship Program (CSP) - 12 active CSP contracts; 6 of them in their last year. CSP's in last year of contract will be offered an opportunity to re-new their contracts, producer must sign up for renewal by April 13, 2018.

Wetland Reserve Easements (WRE) - 15 easements; of those 4 of them are 30 year easements. A continued use agreement for grazing will need to be updated this year for one of the Wetland Reserve Program (WRP) contracts, this will require a grazing plan to be implemented.

### Administrative

Starting April 1<sup>st</sup> Jessica Ressel will be acting District Conservationist (DC) and will be point of contact for Kalispell NRCS office. Currently Herb Webb from Pablo field office is acting DC. Office workload will be managed between Jessica, Roger Marsonette and Mindy Guatier (Area Conservationist). It is not known when the vacancy announcement will be released for the NRCS Kalispell District Conservationist.

**Montana Association of Conservation Districts (MACD):** Pete Woll reported the meeting included new rules and guidelines, dues letters, organizational items, meeting minutes, and the Director vacancy. MACD had a lengthy discussion regarding the FCD dues letter, which requested a return of funds if full voting rights were not granted. MACD will send Flathead CD a letter stating they will deposit the check, and if FCDD is not given voting rights, the funds will be returned. This will go to the full board for a final decision on April 12. Pete noted Dwight Crawford, Deerlodge, resigned for health reasons, so Area 5 will have to submit nominations to cover his remaining term of 1½ years.

Dean Sirucek stated he had received an email regarding the MACD draft Strategic Plan and asked about action items regarding a dues assessment process. Pete explained this is new and will be coming up. Copies will be given to each supervisor and this will be on the April business meeting.

**Flathead County Planning Board (FCPB):** Dean Sirucek reported the meeting included two zone application changes. The next meeting will include nine proposals and rewriting zone definitions.

**Whitefish City Planning Board (WCPB):** John Ellis reported the Wisconsin Corridor Plan was approved, an amendment to the Whitefish Master Plan was denied, two accessory apartments are going in, and the Downtown Master Plan was modified.



**Upper Columbia Conservation Commission (UC3):** Lori Curtis reported the Education Outreach Committee delivered a plan; the Response Preparedness Committee reviewed the MT Fish, Wildlife & Parks State Plan and submitted comments; the Early Detection Monitoring Committee submitted a plan; the Water Craft Inspection Committee is engaged in moving forward with all tribal, state, county and local stations; a document that includes contacts, hours, and station locations is being compiled to share with watercraft users. UC3 hired Nanette Nelson from the Flathead Lake Biological Station to do an economic analysis of the impact of Aquatic Invasive Species (AIS) to the Flathead, which is being funded through several grants. Lori Curtis will attend the Clark Fork and Kootenai Basins Council meeting in April to sit on the Aquatic Invasive Species Council to represent UC3. Lori attended the Environmental Quality Council meeting on behalf of UC3 and the conservation districts. The next UC3 meeting is in June.

Ronald Buentemeier asked if boat inspection stations are now open. Lori stated there are three stations open mainly due to the upcoming Mac Days event. Stations are in Ravalli and at the Kalispell Fish, Wildlife & Parks (FWP) office. All FWP stations are open, but nothing to the north yet. Other stations will open in April or May. Supervisors noted seeing wet boats which are most likely from rivers as there is little traffic on lakes due to snow. Lori noted cooperation on the UC3 Council has been very good and very positive.

**Haskill Basin Watershed Council (HBWC):** The next meeting is April 3<sup>rd</sup>.

**Flathead Basin Commission (FBC):** The next meeting is April 25<sup>th</sup>

**Flathead River Commission (FRC):** The next meeting will be held sometime in April to coincide with the Flood Forecasting and Elevation meeting with the Office of Emergency Services and other agencies.

**Clark Fork & Kootenai River Basins Council (CFKRBC):** Verdell Jackson reported the 2018 annual meeting will be held April 16-17 in Missoula. Meeting items include watershed projects, the Mill Town Water Right update, the Confederated Salish Kootenai Tribe (CSKT) Water Compact, funding and operations. Verdell noted code changes will not happen at this time.



### **MATTERS OF THE BOARD/STAFF**

- The Supervisor's Forum is scheduled for Thursday, March 29, in Polson.
- The United States Geological Survey (USGS) Stream Gage invoice was received. Funds cover data collection for March 1 – September 30, 2018 at Foy's Bend on Flathead River. USGS will forward an agreement. This will be on the April 310-meeting agenda.

The next 310-Stream Permit meeting is scheduled for Monday, April 9, 2018, 7:00 P.M. in the conference room of the USDA building at 133 Interstate Lane, Kalispell, MT.

Adjournment: Pete Woll motioned "to adjourn." Lori Curtis seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 9:00 P.M.

Submitted By: Ginger Kauffman, Administrator  
and Valerie Kurth, Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>4/9/2018</u>	<u>Ronald Buentemeier</u>	<u>Chair</u>
(Date)	(Signature)	(Title – Chair etc.)

